

THE WHITE HOUSE
WASHINGTON

June 21, 1960

MEMORANDUM FOR:

The Honorable Christian A. Herter
The Secretary of State

At the recent Jackson Committee hearing in which the U-2 was discussed, the record is left somewhat unclear on the function of the National Security Council.

It seemed to us that a letter from you to the Committee could clarify the matter -- so we offer the attached draft for your consideration.

Edward A. McCabe
Administrative Assistant
to the President

Information copies to:

Secretary Gates
Allen W. Dulles ✓
Gordon Gray

NSC and DOS review(s) completed.

EXECUTIVE REGISTRY FILE

Dear Mr. Chairman:

In your subcommittee's June tenth hearing, several references were made to U-2 flights, and I believe that as it now stands your record on that point might be somewhat misleading. While I appreciate your intention not to publish testimony relating to the U-2, I nevertheless want to clarify my testimony so that, to the extent your hearing touched the U-2 matter, your own record may be fully accurate.

Conforming to statute, the Central Intelligence Agency pursues various broad intelligence undertakings at the behest of the National Security Council. However, it should be emphasized that, although the overflight program (along with many other intelligence operations) was conducted in accordance with the general policy directives of the National Security Council, the U-2 matter was not specifically dealt with in the NSC machinery. While the individual members of the NSC were, of course, aware of the program, the flights themselves were never the subject of a Council meeting.

In your June tenth hearing, references were made to a National Security Council meeting of May fifth. Since I was out of the United States on that date I, of course, did not participate in this meeting, and it is with respect to May fifth activities that my testimony might cause your hearing record to be unclear. I have now determined that

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Secretary Gates also testified before your subcommittee concerning the May fifth decision -- a decision not taken in the NSC process -- and a decision in which he personally participated. Secretary Gates' testimony on the point in question is precisely accurate.

I appreciate this opportunity to clarify your record, particularly in view of your subcommittee's great interest in the machinery of the National Security Council. On this, perhaps I should add the further general thought that the President must be free to decide whether any matter shall be the subject of a Council meeting, since the NSC function is clearly an advisory one. In my judgment, any President must be free to decide in what manner, and to what extent, he makes use of any advisory body. But as far as the overflight program is concerned, there is no doubt in my mind that the people who needed to know about it did know about it, and that it was properly and effectively coordinated all along the line.

Sincerely,

Secretary of State